

Remarks

Reconsideration of this application, as amended, is respectfully requested.

This amendment duplicates the amendment filed September 4, 2007, but includes the text of claims 10-18, which are presently withdrawn.

The claims have been amended for clarity and to correct grammatical errors. No new matter is being entered.

(1) Claims 1 and 4 are patentable over Norimasa, JP 03-203823, which fails to disclose a method for printing a pattern wherein a radiation sensitive layer is sensitive to third harmonic radiation and is substantially not sensitive to radiation of the fundamental frequency as recited in claim 1.

Norimasa describes apparatus for an optical recording device or medium consisting of an optical recording layer of photosensitive material overlaid by a wavelength-changing layer, and the wavelength-changing layer being in turn overlaid by a light absorbing layer. The light absorbing layer has an absorption wavelength that includes the sensitive region of the photosensitive material but does not include the wavelength of the incident light. Norimasa, abstract. Norimasa does not discuss the sensitivity of the photosensitive material to the fundamental frequency of the incident beam relative to the sensitivity of the photosensitive material to the third harmonic radiation. Instead, Norimasa teaches provision of a light absorbing layer with an absorption wavelength chosen to include the sensitive region of the photosensitive material.

A finding that a claim is anticipated requires that “each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California, 814 F. 2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Because Norimasa fails to disclose the claim limitations recited above, claim 1 and 4 are patentable over Norimasa.

(2) Claims 2, 3 and 5-9 are patentable over Norimasa in view of Tsang¹

The Office Action cites Tsang for teaching features recited in dependent claims 2-3 and 5-9. Even if this were true, Tsang fails to cure the above-noted deficiency in the rejection of independent claim 1 from which claims 2-9 depend.

The Examiner does not rely upon Tsang for teaching the limitations of claim 1. As discussed above, these limitations are not disclosed or suggested by Norimasa. Consequently, the dependent claims 2-3 and 5-9 are not obvious in view of the combination of Norimasa and Tsang for the same reason that Norimasa does not anticipate independent claim 1. Stated differently, Norimasa and Tsang, whether considered singularly or in combination, do not teach or suggest a radiation sensitive layer being sensitive to third harmonic radiation and being substantially not sensitive to radiation of the fundamental frequency as recited in claim 1. For these reasons, withdrawal of the rejection of claims 2, 3 and 5-9, which are dependent upon claim 1, is respectfully requested.

If there are any additional fees due in connection with this communication, please charge Deposit Account No. 19-3140.

Respectfully submitted,
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Dated: October 1, 2007

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¹ Tsang, Thomas Y.F., "Optical Third Harmonic Generation at Interfaces", November, 1995, The American Physical Society, Physical Review A, Volume 52, pg. 4116-4125, referred to herein as "Tsang".